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Welcome Back

By now most of you have settled in to the new school year. I always get excited this time of year because the kids are standing at the bus stop eager to meet their new teachers and see their old friends.

You guys do a great job. Maybe I shouldn't say job because being an educator is more than a job — it's a calling. While each of us receives that call for different reasons, it's through our combined efforts that our work preserves our nation's culture and democracy. Together, we give all children a general commonality that bridges race, culture and language barriers. And we enable all children to have a stake in our economic system by giving them skills that last a lifetime.

Education is the glue that binds the people of our nation together. Education's importance to our culture cannot be overestimated! Thanks for all you do to educate the children of North Carolina and for the work you do for your Association, the NCAE.

Spotlight on NCAE Member Benefits

You and your family deserve the best. That's why when it comes to NCAE member benefits, superior service is the #1 priority. No matter what your financial goals, you can always count on our experience to provide you with access to a vast array of valuable money-saving programs.

In this issue I want to turn the spotlight on two of our most popular benefits, the Disney Package and the Bahamas Cruise and Stay package.



Disney Package – Executive Tour and Travel offers NCAE members the ultimate Disney experience. Enjoy 4 days/3 nights in Orlando with the GO FOR THE MAGIC package for \$139.

Bahamas Cruise and Stay – offers members a six-hour cruise from Ft. Lauderdale to beautiful Freeport Grand Bahamas Island. Accommodations are at an island resort. A six-hour moonlight dinner cruise back to Ft. Lauderdale completes your vacation. Port taxes and service fees are included. Packages start at \$189 per person. For more information, call 1-800-272-4707.

What have we done for YOU lately?

Compensation and Staffing

— **Salary Preserved.** The salary schedule for teachers and school-based administrators will remain in effect, although no one will receive a step increase from state funds.

— **Longevity Pay** preserved.

— **All Advanced Degree Pay.** Master's, six-year, PhD, and NBPTS pay differential preserved.

— **Application Fee Loan Repayment for NBPTS Candidates.** Will commence 12 months following disbursement of loan funds, and may be forgiven if teacher dies or becomes permanently disabled.

— **House Bill 1676: Substitute Teacher Unemployment.** Allows only full-time substitutes who work 30 or more hours a week for at least 6 months to be eligible for unemployment insurance.

— **Budget Provision: Senate Bill 897, Section 7.8.(b-e).** LEAs are encouraged to designate all Title I-eligible schools and must maximize attrition prior to the dismissal of classroom based personnel. Each LEA shall report to the State Board of Education, the Office of State Budget and Management, and the Department of Public Instruction on the flexibility budget reductions identified, including an explanation of how administrative efficiencies, federal funds, and attrition have been maximized prior to the dismissal of classroom-based personnel, within 30 days of the date this act becomes law.

— **Budget Provision: Senate Bill 897, Section 10.20B.(a)-10.21A.(h).** Eliminates the Office of Education Services Central Administration and Exceptional Children Support programs in DHHS effective October 1, 2010. Moves the Resource Support, DHHS VI Outreach, and Deaf/Blind statewide programs to DPI, Exceptional Services Division, effective October 1, 2010. Moves the Governor Morehead School for the Blind and the Eastern and Western NC Schools for the Deaf to DPI effective June 1, 2011. Reinstates the five day school week and summer schools programs.

— **Budget Provision: Senate Bill 897, Section 29.1.(a-j).** LEAs must adhere to strict policies prior to implementing any local furlough options. Includes elimination of bonus pay, public hearing, opening financial records, etc. Does not apply to employees earning less than \$32,000, those who work only on student days or instructional days, nor protected workdays. Strict SDPI rules will be adopted and enforced.

— **Senate Bill 1202: Budget Technical Corrections Bill, Section**

2.3(i) (as amended). Allows vacant school-based administrators, teaching, and educational support positions to be filled when needed, without eliminating every other vacant position in the school district.

Budget Provision: Senate Bill 897, Section 10.21A.(a).

Teachers, school-based administrators, and instructional support personnel in the residential and pre-school programs at the NC School for the Deaf, Eastern NC School for the Deaf, and the Governor Morehead School will continue to be paid their supplements when the schools are transferred from DHHS to DPI.

State Health Plan

Any employee who is furloughed due to budgetary reasons will have health insurance premiums paid by the state while furloughed.

House Bill 1707: SHP/Age-Out Dependents, Eliminate Tobacco

Use Testing. Allows already enrolled dependent children under age 26 to remain on State Health Plan, regardless of dependent's status as full-time student. Also eliminates tobacco testing for 2010-11 fiscal year.

Senate Bill 1251: State Health Plan/Treat Teachers Equitably.

Now allows free health insurance coverage for one year for any employee with 10, 11, or 12 months' service who is subject to a RIF.

Senate Bill 1392: Court Ordered Guardianship. Allows state and public school employees to provide health coverage for dependents if they are court-appointed legal guardians.

Retirement

Legislature maintained the current 3.57% state contribution to the Teachers and State Employees Retirement System. Retirement System still funded at 99.3 percent and ranked #2 in the nation's state-funded retirement systems.

House Bill 2066: Special Retirement Allowance. Creates a Special Retirement Allowance on a voluntary basis that allows all members of the Teachers' and State Employees' Retirement System or the Local Governmental Employees' Retirement System to transfer any portion of their fund balances in either the Supplemental Retirement Income Plan or the Public Employee Deferred Compensation Plan on a one-time election at any time at or after retirement and receive a special retirement allowance which will be based on the amount of funds and age of the member.

Employee Leave

House Bill 213: Voluntary Sick Leave: Nonfamily Sick Leave

Donations. Allows state employees and public school employees to donate up to five days of sick leave to a non-family member. Recipient limited to receive a maximum of 20 days.

Student Achievement

House Bill 593: Modify Good Cause Waivers. Modifies the school calendar law regarding waivers due to inclement weather or emergency conditions. If conditions of this provision are met, the opening and closing dates can be waived by the LEA to meet the minimum required instructional days or instructional time.

House Bill 1682: Corporal Punishment and Children with Disabilities. Corporal punishment will no longer be administered on a student who has a disability if their parent or guardian has stated in writing that they do not want it administered. Forms will be given to parents to sign at the beginning of the school year, when the student enters school, or if not signed, at the first IEP meeting or section 504 plan meeting. LEAs will report annually to the State Board of Education the number of students who received corporal punishment by race, ethnicity, grade level, if the child had a disability, as well as the reason corporal punishment was administered. Corporal punishment is used in only 26 LEAs in North Carolina so this legislation will limit its use in those school systems.

House Joint Resolution 1948. The Joint Legislative Education Oversight Committee is directed to study whether the maximum initial age for enrollment in the public schools shall be lowered from age seven to age six.

Senate Bill 704: Reform Low Performing Schools. Authorizes the State Board of Education (SBE) to approve an LEA's request to reform any school identified by the SBE as low performing by adopting one of four models: (1) transformation; (2) restart; (3) turnaround; or (4) school closure. Any model selected remains under the authority of the LEA and adheres to current statutes, rules, and regulations for employment and benefits.

Senate Bill 900: Studies Act of 2010. Establishes a Legislative Commission to study Diversity in the Public Schools, and the impact diversity has on the learning experience, academic achievement, parental involvement, discipline, etc. Additionally, the Commission will examine "Best Practices" from other states, as well as consider the fiscal impact and efficiency of state funding to support diversity. The Commission will make recommendations for legislation in the 2011 Session, which could result in the creation of a statewide Diversity Policy.

NC Teacher Cadet Program. The funding remained the same at \$323,000 for 2010-2011. The Senate Budget had earlier called for \$17,000 in cuts. NCAE successfully lobbied to maintain funding at the current level.

Fair Employment and Dismissals

House Bill 961: Government Ethics and Campaign Reform Act of 2010, Section 18.(b) "Certain Records Open to Inspection." Allows only dismissals, suspensions, or demotions for disciplinary reasons to be reviewed by the public. If dismissal occurs due to disciplinary reasons, a copy of the final notice will be open to the public.

House Bill 1377: Safe Schools Act. Prevents career employees recommended for dismissal under G.S. 115C-325(e)1 from resigning

and seeking employment with another LEA prior to dismissal process completion. Protects due process rights. Does not apply to approved resignations for job transfers, other employment, retirement, etc.

Budget Provision: Senate Bill 897, Section 7.14.(a-b). Assures probationary teachers on track for career status will maintain work experience credit if they are non-renewed or resign due to budget cuts. They do not start over at zero if rehired within three years by the same employer. Key steps must be initiated by both employer and employee.

Funding/Budget

Budget Provision: Senate Bill 897, Uniform Budget Format.

Section 7.14.(a) Changes current law that allows charter schools a proportionate share of all dollars that flow through Fund 2 (local current expense fund) established by the Local Education Agency (LEA). This provision allows LEAs to establish accounts (not local expense funds), where charter schools would not be entitled to receive a proportionate share. Examples of this would include More at Four and other early childhood funds (charter schools typically do not serve this population) and grants for which the funds are restricted as to the user and the use. This provision means that LEAs can now place all the items that are not truly “local current expense” and had just been placed in the local current expense fund into a special fund. Additionally, fund balance and interest will not be considered local current expense. Charter schools will no longer have any access to these funds.

Budget Provision: Senate Bill 897, Disadvantaged Students Supplemental Funding (DSSF). Section 7.23. If the State Board of Education determines that an LEA’s policies or expenditures have contributed to or are contributing to increased segregation of schools on the basis of race or socioeconomic status, the approval of DSSF funding can be denied.

Budget Provision: Senate Bill 897, Education Lottery. Section

5.1.(a). There is an estimated increase in net revenue in lottery funds this year. In addition, other lottery receipts came in higher than expected. The General Assembly used these increases, along with taking funds from the lottery “Reserve” fund to allocate additional lottery funds to K-12 education for the 2010 -11 school year. The budget increases the amount of lottery funds appropriated to support public schools’ operating budget for 2010-11 and decreases the amount allocated for school construction.

NCAE’s position on “Protecting Educator Jobs” saved 1,600 positions by utilizing additional lottery funds. If the Governor’s budget had been enacted, NCAE’s position would have saved 4,000 educator jobs.

Bad Bills, Budget Provisions or Amendments

Made Good by NCAE:

Furlough language [Senate Bill 897, Section 29.1.(a-j)]

Probationary Teacher Appeals language [Senate Bill 897, Section 7.14.(a-b)]

- ___ Maximizing flexibility [Senate Bill 897, Section 7.8. (b-e).]
- ___ Low performing schools (Senate Bill 704)
- ___ Safe Schools Act (House Bill 1377)
- ___ Personnel section of ethics law (House Bill 961)
- ___ Budget technical corrections bill, provisions on Riffing and filling vacant positions (Senate Bill 1202)
- ___ Amendment to SB 1251 requires employee to give up SHP coverage, when new employment is found, and health insurance is provided on a non-contributory basis for employee.

Killed by NCAE:

- ___ *HB 856: Modify Charter School Law* and several amendments tried to raise the cap on Charter Schools to 106.
- ___ Voucher amendments to budget and other bills.
- ___ Sports participation in public schools for students attending charter schools.
- ___ Budget amendments to allow tax credit for students to attend charter or private schools.
- ___ Amendment that would have prohibited filling vacant school-based administrative and classroom-based personnel positions, until all vacant positions were eliminated.
- ___ *HB 1852/SB 1218: Nonprofit Grants/Increase Accountability.* This bill allowed a State agency that oversees a grant to withhold up to 2% of the amount of the grant awarded each fiscal year to cover grant oversight costs. NCAE joined with over 220 non-profits to stop this bill due to the impact it would have on our Teacher Cadet Program.

NCAE Bills Filed, No Action Taken

- ___ Professional Leave (House Bill 1974, Senate Bill 1363)
- ___ Teacher Assistant Salary Schedule (House Bill 1833, Senate Bill 1364)

NCAE 2010 New Business Items

(NBI'S) Addressed by the Following Bills or Budget Provisions:

- ___ Professional Leave (House Bill 1974, Senate Bill 1363) – Did not pass
- ___ Teacher Assistant Salary Schedule (House Bill 1833, Senate Bill 1364) – Did not pass
- ___ Study lowering initial age for starting school from 7 to 6 (House Joint Resolution 1948) – Passed
- ___ Modify Good Weather Clause (HB 593) – Passed

Restores Contract Rights to State & Local Entities (Allows Collective Bargaining) (HB750, SB 427) – Did not pass

Budget (SB 897) (preserved longevity, Master's, 6-year, PhD, and NBPTS pay) – Passed

Key Study Bills

HJR 1948 (Fisher, Gill, Yongue, Farmer-Butterfield): Maximum Age

for Enrollment in Public Schools. The Joint Legislative Education Oversight Committee is directed to study whether the maximum initial age for enrollment in the public schools shall be lowered from age seven to age six.

HB 1837 (Cotham, Fisher, Glazier, Rapp): State Board of Education to study sports injuries. State Board of Education to study issues related to sports injuries for all sports at the middle and high school levels focusing on the prevention and treatment of injuries.

HB 1827/SB 1153 (Yongue, Brown, Hughes, Insko): Reestablish the Legislative Taskforce on Childhood Obesity. To address the problem of childhood obesity by encouraging healthy eating and increasing physical activity among children.

SB 1249 (Davis)/HB 1879 (Parmon): State Board of Education to Establish a Blue Ribbon Taskforce to Study the Impacts of Raising the Compulsory Public School Attendance Age. Study other states that have raised the compulsory age, the impact on the graduation rate, best practices for working with at-risk populations of students, and what the fiscal impact would be for each LEA in NC.

Special Thanks to the following:

All education employees and especially members of NCAE.

One of my favorite quotes is by Pat Conroy from his book Prince of Tides:

“There is no word in the language I revere more than teacher. My heart sings when a kid refers to me as his teacher, and it always has. I’ve honored myself and my whole family by becoming one.”